

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Application of

Xavier GIBERT et al.

Group Art Unit: 3728

Application No.: 10/527,022

Examiner: J. KAVANAUGH

Filed: April 8, 2005

Docket No.: 123070

For: FOOTWEAR ITEM COMPRISING BUILT-IN DYNAMIC ELEMENT

**NOTICE OF APPEAL TO THE BOARD OF PATENT APPEALS
AND INTERFERENCES AND PETITION FOR EXTENSION OF TIME**

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Applicants hereby appeal to the Board of Patent Appeals and Interferences from the Decision of the Primary Examiner dated October 18, 2008.

The \$510.00 Appeal Fee (\$255.00 Small Entity) is being paid herewith.

The shortened statutory period having expired April 18, 2008, it is hereby requested that the period for response be extended for three months.

The fees associated with this filing under 37 C.F.R. §1.17(i) are being paid electronically with this filing. The Commissioner is hereby authorized to charge any additional fee (or credit any overpayment) associated with this communication to Deposit Account No. 15-0461.

Respectfully submitted,



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Date: April 18, 2008

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| <p>DEPOSIT ACCOUNT USE AUTHORIZATION Please grant any extension necessary for entry; Charge any fee due to our Deposit Account No. 15-0461</p> |
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